

David E. Chavez, Esq.  
Nevada Bar No. 15192  
BALLARD SPAHR LLP  
1980 Festival Plaza Drive, Suite 900  
Las Vegas, Nevada 89135  
Telephone: 702.471.7000  
[chavezd@ballardspahr.com](mailto:chavezd@ballardspahr.com)

Jenny N. Perkins, Esq. (*admitted pro hac vice*)  
Colin P. Kane, Esq. (*admitted pro hac vice*)  
BALLARD SPAHR LLP  
1735 Market Street, 51st Floor  
Philadelphia, Pennsylvania 19103  
Telephone: 215.665.8500  
[perkinsj@ballardspahr.com](mailto:perkinsj@ballardspahr.com)

Mitchell Turbenson (*admitted pro hac vice*)  
BALLARD SPAHR LLP  
1 East Washington Street, Suite 2300  
Phoenix, Arizona 85004  
Telephone: 602.798.5400  
[turbensonm@ballardspahr.com](mailto:turbensonm@ballardspahr.com)

John C. Grugan, Esq. (*admitted pro hac vice*)  
HOLLAND & KNIGHT, LLP  
1650 Market Street, Suite 3300  
Philadelphia, Pennsylvania 19103  
Telephone: 215.252.9610  
[john.grugan@hklaw.com](mailto:john.grugan@hklaw.com)

*Attorneys for Defendants Comerica Bank;  
Conduent State & Local Solutions, Inc.;  
and Conduent Business Services, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

David J. Moscato, on behalf of himself and all others similarly situated,

Case No.: 2:23-cv-00993-JAD-DJA

**Stipulation and Proposed Order to  
Substitute Counsel Under LR IA 11-6 and  
Resident Nevada Counsel Under LR IA  
11-2**

Comerica Bank; Conduent State & Local Solutions, Inc.; and Conduent Business Services, LLC.

[ECF No. 52]

### Defendants.

Comerica Bank; Conduent State & Local Solutions, Inc.; and Conduent Business Services, LLC.

## Defendants.

Pursuant to Local Rule IA 11-6(c), defendants Comerica Bank; Conduent State & Local Solutions, Inc.; and Conduent Business Services, LLC (collectively,

1 “Defendants”), substitute David E. Chavez, Esq., as their attorney of record in place  
2 and stead of Madeleine Coles, Esq.

3       Further, Defendants request that Mr. Chavez be designated in place and stead  
4 of Ms. Coles as associate resident Nevada counsel (“Resident Nevada Counsel”) for the  
5 following counsel who were granted permission under Local Rule IA 11-2(a) “to appear  
6 in [this] particular case”: Jenny Nicole Perkins, ECF No. 27; Mitchell Turbenson, ECF  
7 No. 28; John C. Grugan, ECF No. 32; and Colin P. Kane, ECF No. 46 (“Pro Hac Vice  
8 Counsel”). There is good cause to grant the requested substitution because, as set  
9 forth below, Pro Hac Vice Counsel designate Mr. Chavez, Defendants appoint Mr.  
10 Chavez, and Mr. Chavez consents to serve as Resident Nevada Counsel in this matter.  
11 *See Republican Nat'l Comm. v. Burgess*, 2024 U.S. Dist. LEXIS 94801 (D. Nev. May  
12 23, 2024) (granting a request to substitute resident Nevada counsel).

13 Dated: September 4, 2024

BALLARD SPAHR LLP

By: /s/ David E. Chavez

Jenny N. Perkins, Esq., *pro hac vice*  
perkinsj@ballardspahr.com

Colin P. Kane, Esq., *pro hac vice*  
kanec@ballardspahr.com

Mitchell Turbenson, Esq., *pro hac vice*  
turbensonm@ballardspahr.com

David E. Chavez, Esq.  
Nevada Bar No. 15192  
[chavez@ballardspahr.com](mailto:chavez@ballardspahr.com)

John C. Grugan, Esq., *pro hac vice*  
HOLLAND & KNIGHT, LLP  
[john.grugan@hklaw.com](mailto:john.grugan@hklaw.com)

*Attorneys for Defendants Comerica Bank,  
Conduent State & Local Solutions, Inc.,  
and Conduent Business Services, LLC*

[continued on following page]

1                   Consent by Madeleine Coles

2                   I, Madeleine Coles, consent to withdraw from this matter and the substitution  
3 of David E. Chavez in my place and stead as attorney of record for Defendants and  
4 Resident Nevada Counsel under Local Rule IA 11-2 for Jenny Nicole Perkins, Colin  
5 P. Kane, Mitchell Turbenson, and John C. Grugan.

6                   Dated: September 4, 2024

7                   BALLARD SPAHR LLP

8                   By: /s/ Madeleine Coles

9                   Madeleine Coles  
10                  Nevada Bar No. 16216  
11                  1980 Festival Plaza Drive, Suite 900  
12                  Las Vegas, Nevada 89135  
13                  Telephone: 702.471.7000  
14                  colesm@ballardspahr.com

15                   Designation of Resident Attorney Admitted to the Bar of this Court

16                   The undersigned Pro Hac Vice Counsel each consents to the withdrawal of  
17 Madeleine Coles as counsel of record for this matter and the substitution of David E.  
18 Chavez in her place and stead as attorney of record for defendants and as Resident  
19 Nevada Counsel under Local Rule IA 11-2.

20                   Further, pursuant to the requirements of the Local Rules of Practice for this  
21 Court, Pro Hac Vice Counsel each believes it to be in the best interest of defendants  
22 to designate David E. Chavez, attorney at law, member of the State Bar of Nevada  
23 and previously admitted to practice before the above-entitled Court as Resident  
24 Nevada Counsel in this action. Mr. Chavez's address, phone number, and email  
25 address are:

26                   BALLARD SPAHR LLP  
27                  1980 Festival Plaza Drive, Suite 900  
28                  Las Vegas, Nevada 89135  
29                  (702) 471-7000  
30                  chavezd@ballardspahr.com

1 By this designation, Pro Hac Vice Counsel and the undersigned parties each  
 2 agrees that this designation constitutes agreement and authorization for Mr. Chavez  
 3 to sign stipulations binding on all of us.

4 Dated: September 4, 2024

5 BALLARD SPAHR LLP

6 By: /s/ Jenny N. Perkins  
 7 Jenny N. Perkins, Esq. (*admitted  
pro hac vice*)  
 8 1735 Market Street, 51st Floor  
 Philadelphia, Pennsylvania 19103  
 Telephone: 215.665.8500  
 perkinsj@ballardspahr.com

10 *Attorney for Defendants Comerica  
Bank; Conduent State & Local  
Solutions, Inc.; and Conduent  
Business Services, LLC*

12 BALLARD SPAHR LLP

13 By: /s/ Mitchell Turbenson  
 14 Mitchell Turbenson (*admitted pro  
hac vice*)  
 15 1 East Washington St., Suite 2300  
 Phoenix, Arizona 85004  
 Telephone: 602.798.5400  
 turbensonm@ballardspahr.com

16 *Attorney for Defendants Comerica  
Bank; Conduent State & Local  
Solutions, Inc.; and Conduent  
Business Services, LLC*

18 BALLARD SPAHR LLP

19 By: /s/ Colin P. Kane  
 20 Colin P. Kane, Esq. (*admitted pro  
hac vice*)  
 21 1735 Market Street, 51st Floor  
 Philadelphia, Pennsylvania 19103  
 Telephone: 215.665.8500  
 kanec@ballardspahr.com

22 *Attorney for Defendants Comerica  
Bank; Conduent State & Local  
Solutions, Inc.; and Conduent  
Business Services, LLC*

24 HOLLAND & KNIGHT LLP

25 By: /s/ John C. Grugan  
 26 John C. Grugan (*admitted pro hac  
vice*)  
 27 1650 Market Street, Suite 3300  
 Philadelphia, Pennsylvania 19103  
 Telephone: 215.252.9610  
 john.grugan@hklaw.com

28 *Attorney for Defendants Comerica  
Bank; Conduent State & Local  
Solutions, Inc.; and Conduent  
Business Services, LLC*

21 **Defendants' Appointment of Designated Resident Nevada Counsel**

22 The undersigned parties appoint David E. Chavez as their designated  
 23 Resident Nevada Counsel in this matter.

24 <u>/s/ Andrew Worrall</u> 25 (Party's signature)	24 <u>/s/ Christine Fickel</u> 25 (Party's signature)
26 <u>Defendant Comerica Bank</u> 27 (Party names, title)	26 <u>Defendants Conduent State &amp; Local Solutions, Inc.; and Conduent Business Services, LLC</u> 27 (Party names, title)

**Consent of Designee**

I, David E. Chavez, consent to serve as Resident Nevada Counsel in this matter under Local Rule IA 11-2 for Jenny Nicole Perkins, Colin P. Kane, Mitchell Turbenson, and John C. Grugan.

/s/ David E. Chavez

David E. Chavez

Nevada Bar No. 15192

chavezd@ballardspahr.com

Order

10       **IT IS ORDERED** that the withdrawal of Madeleine Coles as attorney of record  
11 for defendants in the above action is ACCEPTED.

12       **IT IS FURTHER ORDERED** that defendants will be represented in this  
13 matter by David E. Chavez, and he shall serve as defendants' Resident Nevada  
14 Counsel under Local Rule IA 11-2 for attorneys Jenny Nicole Perkins, Colin P. Kane,  
15 Mitchell Turbenson, and John C. Grugan.

Dated: September 5, 2024

United States District Court Judge